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PATENT
ATTORNEY DOCKET NO. 46884-5344

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Haruhisa SAITOH et al.

Application No.: 10/516,076

Filed: November 29, 2004

For: FLUORESCENCE LIFETIME
DISTRIBUTION IMAGE MEASURING
SYSTEM AND ITS MEASURING
METHOD

Confirmation No.: 7690

Group Art Unit: 2877

Examiner: Layla G. Lauchman

Commissioner for Patents
U.S. Patent and Trademark Office
CUSTOMER WINDOW, MAIL STOP AMENDMENT
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the non-final Office Action dated March 7, 2007.
2. Additional papers enclosed:

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, with _____ () document attached
- ☐ Citations
- ☐ Terminal Disclaimer
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$120.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	8	minus	20	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. § 1.16(b))	2	minus	3	0	x \$200 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Enclosed is a check in the amount of **\$120.00** for the one-month petition for extension of time fee.
- ☐ The Commissioner is hereby authorized to charge _____ to Deposit Account No. 50-0573 for the _____ fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: June 25, 2007

By: 

John G. Smith

Registration No. 33,818

Customer No. 055694**DRINKER, BIDDLE & REATH LLP**

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DISTRIBUTION IMAGE)
MEASURING SYSTEM AND ITS)
MEASURING METHOD)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT

In response to the non-final Office Action dated March 7, 2007, the period for response to which extends through July 7, 2007 with a one-month extension of time, please amend the above-identified application as follows:

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